

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.1802 OF 2007

In

WRIT PETITION NO.792 OF 1992

Mangesh Sundar Pathare, since deceased  
his L.R.

Smt.Manorama Mangesh Pathare & Anr. : Applicants  
(Orig.Defendant)

V/s.

Vithal Moreshwar Raote (since deceased)

1a. Dayanand Vithal Raote & Ors. : Respondents  
(Orig.Plaintiffs)

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Mr.V.Y.Sanglikar for the applicants.

Ms Nipa Singh i/b. M/s.Mahesh Menon & Co., for respondent  
nos.1(a) to 1(e).

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**CORAM : S.A.BOBDE, J.**

**DATE : OCTOBER 26, 2007.**

**P.C.**

Apparently, the delay was due to the fact that the petition was dismissed for default on 19.8.2004 and on that date the board did not show the name of the applicants' Advocate. The respondents' Advocate was also

not present in Court. The name shown on the board was of an Advocate who was no longer appearing in the matter. In these circumstances, there appears to be a bona fide mistake. Hence, the delay is hereby condoned and the petition is restored.

S.A. BOBDE, J.